IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 21958 of 2004

Between:

A.S.R.Murthy S/o.Late Lakshminarayana, 58 years,

Occu:Conductor, APSRTC, Tanuku Depot,

West Godavari District.

... PETITIONER

AND

1. The Depot Manager, APSRTC, Tanuku Depot,

   West Godavari District.

2. The Depot Manager, APSRTC,Bhimavaram Depot,

   Bhimavaram, West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ of certiorari or any other appropriate writ, calling for the records relating to the charge sheet-cum-show cause notice No.01/804 (2)/2004-BVRM, dated 3.9.2004, received by the petitioner on 19.9.2004 and declare the same as illegal, arbitrary and null and void and for a consequential order to set aside the said impugned charge sheet-cum-show cause notice.

Counsel for the Petitioner:MR.K.V.L.NARASIMHA RAO

Counsel for the Respondent Nos.1&2: MR.R.MANMADHA REDDY, SC FOR APSRTC.

The Court made the following :

O R D E R:

The petitioner was appointed as a conductor in the APSRTC. He was issued a charge sheet-cum-show-cause notice dated 3.09.2004, directing him to show-cause as to why a sum of Rs.25,600/- shall not be recovered from him on account of the mis-placement of bus pass application forms. The petitioner challenges the same.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

The petitioner was served with a charge sheet-cum-show-cause notice. The basis for the same is the report of the audit which disclosed certain alleged lapses on the part of the petitioner. The truth or otherwise of the same needs to be considered in the enquiry, or on the explanation that could be submitted by the petitioner. It is not as if the authority who issued the show-cause notice does not have the jurisdiction.

Hence, the writ petition is dismissed, leaving it open to the petitioner to submit his explanation. The respondents shall conclude the proceedings against the petitioner, as early as possible and not later than three months, from the date of submission of his explanation. No order as to costs.

30th November, 2004

pan

To

1. The Depot Manager, APSRTC, Tanuku Depot,
   West Godavari District.
2. The Depot Manager, APSRTC, Bhimavaram Depot,

Bhimavaram, West Godavari District.

3 Two C.D.copies.